

**Amendment No. 2 to HB3340**

**Fitzhugh  
Signature of Sponsor**

**FILED**

Date \_\_\_\_\_

Time \_\_\_\_\_

Clerk \_\_\_\_\_

Comm. Amdt. \_\_\_\_\_

**AMEND Senate Bill No. 3424\***

**House Bill No. 3340**

by deleting all language following the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 71, Chapter 5, is amended by adding Sections 2 through 7 below as a new, appropriately designated part thereto.

SECTION 2. It is the intent of the general assembly to provide access to health insurance coverage, on a basis that is affordable for them and for the state, to uninsurable adults with incomes below two hundred percent (200%) of the federal poverty level who cannot otherwise qualify for such insurance because of their pre-existing medical conditions. It is the intent of the general assembly that, in order to maximize the medical care available to uninsurable Tennesseans, state funds expended under this act should qualify for federal match and should therefore be administered in conformity with the federal determination of budget neutrality that was made in 2002 with respect to coverage of uninsurable adults under the TennCare waiver, and in conformity with any federal waiver that shall be obtained in the future.

SECTION 3. The commissioner is directed to apply and negotiate for federal waiver authority for matching funds to support the provision of coverage under this act, which may include innovative approaches and solutions which may include but are not limited to support for private health insurance subsidies.

SECTION 4. If federal waiver authority is granted and agreed to, the commissioner shall prescribe by regulations the scope of medical and behavioral health benefits to be provided to uninsurable adults. The commissioner shall also establish by regulations the financial terms of participation, including the amount of any applicable premiums and premium subsidies.

SECTION 5. The commissioner shall determine the terms and conditions of eligibility and enrollment based on the availability of state and federal funds. The initial

enrollment period shall be defined and determined in a timely fashion by the commissioner.

SECTION 6. The commissioner may adopt such rules as are necessary and proper to implement this part, including but not limited to any rules or regulations necessary to comply with or implement the provisions of any federal requirement, federal waiver or state plan governing the program. Such rules may be promulgated as public necessity rules pursuant to §4-5-209.

SECTION 7. This act shall take effect upon becoming a law, the public welfare requiring it.